

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|----------------------|---|--------------|
| REGINALD SMALLER | : | CIVIL ACTION |
| | : | |
| v. | : | No. 12-1960 |
| | : | |
| BERKS COUNTY, et al. | : | |

ORDER

AND NOW, this 13th day of August, 2013, it is ORDERED Defendants Jessie Kirsch (misidentified in the Complaint as Jerry Kilsh) and Dr. Jane Doe's Motion to Dismiss Plaintiff's Complaint Pursuant to F.R.C.P. 12(b)(6) and Amended Motion to Dismiss Plaintiff's Complaint Pursuant to F.R.C.P. 12(b)(6) (Documents 15 and 18) are GRANTED. Smaller's claims against Kirsch and Dr. Doe are DISMISSED without prejudice. Smaller may file an amended complaint as to Kirsch and Dr. Doe on or before September 16, 2013. Failure to file an amended complaint within the time permitted will result in dismissal of the claims against Kirsch and Dr. Doe with prejudice.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.